

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

214

CRM-M-20660-2022 (O&M)

Date of Decision: 19.09.2022

VIKAS

...Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ashok K. Sharma Bhana, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner in case bearing FIR No.296 dated 26.09.2020, under Section 136 of the Electricity Act and Section 379 IPC, registered at Police Station Uchana, District Jind.

Learned counsel for the petitioner submits that the petitioner has been in custody since 27.09.2021; that the petitioner has not been named in the FIR and that on the basis of disclosure statement made in FIR No.227 dated 06.10.2020, the petitioner has been indicted in the present case. He further submits that as far as the other FIRs registered and pending against the petitioner is concerned, he is on bail in those cases and that the similarly situated co-accused, namely, Narender, has already been granted the concession of bail.

Per contra, while opposing the prayer for grant of regular

bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner had actively participated in the occurrence, inasmuch as, he had sold the stolen coil for Rs.7,500/-, out of which Rs.6,500 was spent by him and remaining Rs.1,000/- was recovered from him. He further submits that some of the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 27.09.2021. The petitioner has been indicted in the present case, on the basis of the disclosure statement made in FIR No.227 dated 06.10.2020. Similarly situated co-accused has already been enlarged on bail. As per the learned counsel for the petitioner, in other cases registered against the petitioner, the petitioner is on bail. Some of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

19.09.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*